## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at CHATTANOOGA

LIBERTY MUTUAL INSURANCE	)	
COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	No. 1:04-CV-209
A STAFFING KOMPANY, INC.;	)	
JERRY SCHEIB; and DORIS BURNS,	)	Judge Curtis L. Collier
	)	
	)	
Defendants.	)	

## <u>ORDER</u>

For the reasons discussed in the accompanying memorandum, the Court **ORDERS** as follows:

- (1) Defendants' motion to dismiss (Court File No. 23) is **DENIED**;
- (2) Defendants' motion for oral argument (Court File No. 47) is **DENIED**;
- Defendants' motion to strike (Court File No. 53) is **GRANTED IN PART** and **DENIED IN PART**: Defendants' request to strike Plaintiff's sur-reply is **DENIED**. Defendants' alternative request to file a response to Plaintiff's sur-reply is **GRANTED**, and Defendants' response to Plaintiff's sur-reply (Court File No. 53, Exh. A) is deemed filed.

SO ORDERED.

**ENTER:** 

<u>/s/</u>

CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE